

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Conkling, et al.

Serial No.:

09/941,042

Filed: For:

August 28, 2001

TRANSGENIC PLANTS CONTRAINING MOLECULAR DECOYS THAT

Group Art Unit: 1651

ALTER PROTEIN CONTENT THEREIN

May 14, 2002

Commissioner for Patents Washington, DC 20231

ORIGNALLY FAREFUL STATEMENT IN SUPPORT OF FILING A SUBSTITUTE SEQUENCE LISTING UNDER 37 CFR § 1.821(f)

Sir:

I hereby state that the content of the paper and computer readable copies of the Substitute Sequence listing, submitted concurrently herewith in accordance with 37 CFR§ 1.821(c) and (e), are the same. I also hereby state as required by 37 CFR § 1.821(h) that the paper and computer readable copies contain no new matter, nor do they go beyond the disclosure of the application as filed.

Respectfully submitted

Kenneth D. Sibley

Registration No. 31,665

20792

PATENT TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, DC 20231, on May 14, 20021.

Date of Signature: May 14, 2002





TATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023

WASHINGTON, D.C. 2023!

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

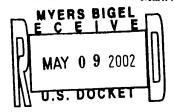
09/941,042

08/28/2001

Mark A. Conkling

5051.471

20792 MYERS BIGEL SIBLEY & SAJOVEC PO BOX 37428 RALEIGH, NC 27627



CONFIRMATION NO. 4291 FORMALITIES LETTER

**CC000000008033014*

Date Mailed: 05/06/2002

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

• The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patentin Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

ORIGINIALLY FILEDS

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY